

Message Text

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TAGS: ELAB, PINT, NI

SUBJECT: FMG ANNOUNCES NEW LABOR DECREE

1. SUMMARY: FMG COMMISSIONER FOR LABOR ANNOUNCED JULY 19 THAT FMG HAS APPROVED A NEW LABOR DECREE WHICH WILL BE PROMULGATED SOON. DECREE INTENDED TO FACILITATE FORMING UNIONS, IMPROVE OPERATION OF UNIONS, PROTECT INTEREST OF UNION MEMBERS, AND PROHIBIT STRIKE ACTION IN SELECT GOVERNMENT ORGANIZATIONS. DECREE IS EXPECTED TO BE PROMULGATED BEFORE END OF JULY. END SUMMARY

2. FMG COMMISSIONER OF LABOR ENAHORO GAVE PRESS BRIEFING JULY 19 TO OUTLINE BASIC ELEMENTS OF NEW LABOR DECREE WHICH WILL REPEAL NUMBER OF PREVIOUS TRADE UNION LAWS. NEW DECREE, WHICH IS EXPECTED TO BE PROMULGATED BEFORE END OF JULY, HAS BEEN UNDER CONSIDERATION SINCE 1966, AND IS RESULT OF PROTRACTED NEGOTIATIONS BETWEEN FMG, TRADE UNIONS, AND EMPLOYER ORGANIZATIONS. ACCORDING TO ENAHORO, MAIN ELEMENTS OF NEW DECREE ARE AS FOLLOWS:

A. UNIONS CANNOT USE UNION FUNDS FOR ANY FORM OF POLITICAL ACTIVITY.

B. TRADE UNION OFFICIALS CANNOT HOLD OFFICE IN
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MORE THAN ONE ORGANIZATION, AND TRADE UNION SECRETARIES

CANNOT WORK FOR MORE THAN THREE UNIONS.

C. NUMBER OF PEOPLE NECESSARY TO APPLY FOR TRADE
UNION REGISTRATION IS INCREASED FROM 5 TO 50.

D. STRIKE ACTION IS PREVENTED UNLESS MAJORITY
OF UNION MEMBERS VOTE IN SECRET BALLOT IN FAVOR OF STRIKE.

E. EMPLOYEES OF STATE-OWNED CENTRAL BANK, NIGERIAN
EXTERNAL TELECOMMUNICATIONS LIMITED, MINT, ARMED
SERVICES, POLICE AND CUSTOMS CANNOT FORM TRADE UNIONS
AND ARE PROHIBITED FROM STRIKING. THEY CAN, HOWEVER,
FORM CONSULTATIVE COMMITTEES TO NEGOTIATE WITH THEIR
RESPECTIVE MANagements ON THEIR NEEDS AND CONDITIONS
OF SERVICE. (ON THIS POINT ENAHORO NOTED FMG AIM IS
TO PROTECT NATION'S ECONOMY AND SECURITY BY PREVENTING
STRIKE ACTION AGAINST KEY FEDERAL AND STATE AGENCIES.)

F. EMPLOYERS MUST RECOGNIZE UNIONS WHICH HAVE
60 PERCENT OF WORKERS REGISTERED.

G. CENTRAL LABOR ORGANIZATIONS CAN BE FORMED IF
THEY MEET CERTAIN STRICT REQUIREMENTS, SUCH AS HAVING
40 PERCENT OF TOTAL UNION MEMBERSHIP, AFFILIATES NOT
ALL SITUATED IN ONE STATE, AND ALL AFFECTED UNIONS
SUPPORT FORMATION OF CENTRAL GROUPING. FOUR PRESENT
NATIONAL ORGANIZATIONS WILL NOT BE AFFECTED.

3. COMMENT: DECREE WILL HAVE OBVIOUS IMPACT ON PRESENT
UNION STRUCTURE BY REDUCING NUMBER OF REGISTERED TRADE
UNIONS: FORCING FORMATION OF LARGER, INDUSTRIAL-TYPE
UNIONS: CURTAILING POWER OF CERTAIN UNION LEADERS
(BOTH IN CALLING STRIKES AND IN FORMING SPLINTER
UNION GROUPS): AND LIMITING POLITICAL ACTIVITIES OF
UNION OFFICIALS. PORTION OF DECREE PERTAINING TO
FEDERAL AND STATE AGENCY UNIONS IS CLEARLY AIMED AT
STOPPING TRADE UNIONS FROM BEING IN POSITION TO BLACK-
MAIL GOVERNMENT, SUCH AS OCCURRED IN LATE 1972 AND
EARLY 1973. REACTIONS OF UNION LEADERS AND EMPLOYERS
ARE NOT YET KNOWN BUT IT IS GENERALLY ASSUMED THEY WILL
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GO ALONG IN PRINCIPLE WITH NEW DECREE WHILE PERHAPS
SEEKING SOME AMENDMENTS. FOR EXAMPLE, ONE UNION
LEADER INVOLVED IN UNIONS COVERING FEDERAL AND STATE
AGENCIES WHERE UNIONIZATION NOW TO BE BANNED HAS
PRIVATELY STATED HE PLANS COURT ACTION IN PROTEST OF
STRIKE PROHIBITION.

FUTURE IMPACT OF DECREE WILL BE

DELAYED UNTIL BOTH LABOR AND MANAGEMENT HAVE HAD TIME
TO STUDY IT IN DETAIL. IN SHORT RUN, HOWEVER, NUMBER
OF INDUSTRIAL DISPUTES LIKELY BE REDUCED UNTIL BOTH SIDES
ARE MORE CERTAIN OF POSSIBLE GOVERNMENT REACTIONS.
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